

Serial Number 09/769,619
Attorney's Docket 00/052 MFE
Art Unit 1774

C1
1. (Twice amended) A white film having a thickness of from 10 to 500 μm , comprising a crystallizable polyolefin-free thermoplastic polyester polymer, at least one titanium dioxide of the rutile type that is oxidatively coated, and at least one optical brightener; wherein the titanium dioxide and the optical brightener are provided in the form of at least one masterbatch.

Please amend claim 15 as follows:

C2
15. (Amended) The white film as claimed in claim 10, wherein the titanium dioxide and the optical brightener are additionally present in the outer layer(s).

C3
[Please add new claim 16 as follows:]

16. The white film as claimed in claim 1, wherein said white film further comprises regrind.

Remarks

W/D
Claim 15 stands rejected under 35 U.S.C. 112. as lacking sufficient antecedent basis for the claim limitation "the outer layer(s)". Applicant has amended the claim so that it is no longer dependent from claim 14, but rather from claim 10. Sufficient antecedent basis for the limitation "the outer layer(s)" can be found therein.

Claims 1-5, 7, and 9-11 stand rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Kim et al., U.S. Pat. No. 5,660,931 in further view of Murschall et al., U.S. Pat. No. 5,900,294. In view of the amendments made to claim 1, and the comments hereto, the rejection is respectfully traversed.

W/D-ART
As pointed out by the Examiner in the official Office Action dated April 25, 2002, the '931 patent issued to Kim et al. discloses a crystallizable thermoplastic comprised of polyethylene terephthalate. More specifically, Kim discloses in column 1 lines 61-67 a crystallizable thermoplastic comprised of a polyester/polyolefin blend. On page 3 lines 20-25 of the application as filed, Applicant states examples of crystallizable thermoplastics suitable for use in the claimed film. All examples shown there are polyesters. Applicant has amended claim